



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pittman, et al.

Serial No.: 10/023,451

Filing Date: December 17, 2001

For: *Methods and Compositions for Diagnosing
and Treating Inflammatory Diseases*

) Attorney Docket No.: GIA-001.01
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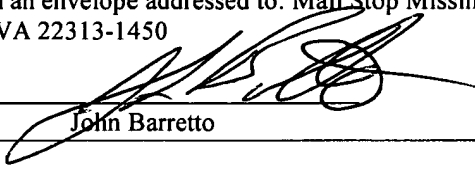
Art Unit: 1631

Examiner: Channing Mahatan

Certificate of First Class Mailing

I hereby certify that the instant "*Response to Notice of Incomplete Reply*" is being deposited on the date set forth below with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

February 4, 2005
Date

By: 
John Barretto

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Dear Examiner Mahatan:

In response to the outstanding Notice of Incomplete Reply of August 8, 2005, Applicants provisionally elect, with traverse, in addition to their previous election of Group IV, the gene RAGE (AGER).

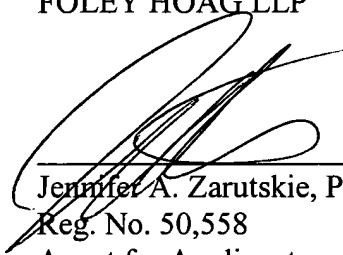
For a restriction requirement to be valid, the Examiner must establish that the search and examination of the entire application cannot be made without serious burden. If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. (M.P.E.P. § 803). Applicants respectfully submit that a search and examination of RAGE (AGER) as a gene characteristic of rheumatoid arthritis ("R.A.") would also entail searching for

other genes characteristic of R.A., posing no serious burden. Accordingly, Applicants respectfully request examination of all of the claimed genes.

Any questions raised by this submission may be directed to the undersigned at (617) 832-1000. A Petition for a Five-Month Extension of Time is enclosed herewith. The Commissioner is hereby authorized to charge any underpayments, or credit any overpayments, to our **Deposit Account No. 06-1448 (ref. no. GIA-001.01)**.

February 4, 2005
Patent Group
Foley Hoag LLP
155 Seaport Blvd.
Boston, MA 02210-2600
Tel: (617) 832-1000
FAX: (617) 832-7000
Customer Number 25181

Respectfully submitted,
FOLEY HOAG LLP



Jennifer A. Zarutskie, Ph.D.
Reg. No. 50,558
Agent for Applicants